

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Investor(s) : Richard FINOCCHIO
Serial No. : 10/770,891
Filing Date : Feb. 2, 2004
For : METHOD OF PLAYING A GAME OF CHANCE INCLUDING PURCHASE OF ADDITIONAL GAME PLAY INFORMATION AND SYSTEM FOR FACILITATING THE PLAY THEREOF
Group Art Unit: 3711
Examiner : Benjamin LAYNO
Confirmation No.: 1102

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF TELEPHONIC INTERVIEW
(MAY 9 AND MAY 25, 2006)

SIR:

On May 9, 2006, Examiner Benjamin Layno conducted a telephonic interview with Applicant's representative, Andrew Reibman, Esq. (Reg. 47, 893), regarding the above-captioned case. The arguments presented in Applicant's previously filed after-final response were discussed. All of the independent claims were discussed, as was the cited Goldberg reference. The Examiner indicated that he believed that a minor additional amendment would place the claims in condition for allowance. While disagreeing that the amendment was required, to expedite prosecution, Applicant agreed to prepare a draft supplemental amendment reflecting the changes to the claims, and addressing formal matters.

On May 25, 2006, Examiner Layno had a further telephonic interview with Mr. Reibman regarding a draft supplemental amendment submitted by facsimile by Mr. Reibman to Examiner Layno on May 24, 2006. Agreement was reached that the draft supplemental amendment placed all the claims in condition for allowance with the exception of claim 39.

Application Serial No. 10/770,891
Attorney Docket No. 12406/16
Supplemental Amendment

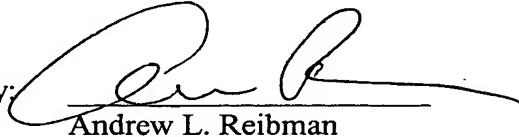
While disagreeing that claim 39 required further amendment, Applicant agreed to amend claim 39 in a manner similar to the other independent claims to place the case in condition for allowance.

Respectfully submitted,

KENYON & KENYON LLP

Dated: May 25, 2006

By:



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